
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 508 Session of
1979

Report of the Committee of Conference

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 508, entitled:

"An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the inspection of vehicles AND MASS TRANSIT VEHICLES AND LEGISLATIVE APPROVAL OF REGULATIONS RELATING TO INSPECTIONS."

respectfully submit the following bill as our report:

FRANKLIN L. KURY

EDWARD M. EARLY

CLARENCE F. MANBECK

(Committee on the part of the Senate.)

RUDOLPH DININNI

JOSEPH R. PITTS

JOHN F. WHITE, Jr.

(Committee on the part of the House of Representatives.)

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the inspection of vehicles
3 and mass transit vehicles and legislative approval of
4 regulations relating to inspections.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 102 of Title 75, act of November 25, 1970
8 (P.L.707, No.230), known as the Pennsylvania Consolidated
9 Statutes, is amended by adding a definition to read:

10 § 102. Definitions.

11 Subject to additional definitions contained in subsequent
12 provisions of this title which are applicable to specific
13 provisions of this title, the following words and phrases when
14 used in this title shall have, unless the context clearly
15 indicates otherwise, the meanings given to them in this section:

16 * * *

17 "Mass transit vehicle." A self-propelled or electrically
18 propelled device designed for carrying 15 or more passengers
19 exclusive of the driver, other than a taxicab, designed and used
20 for the transportation of persons for compensation, including
21 but not limited to subway cars, buses, trolleys and trackless
22 trolleys but excluding railroad passenger cars.

23 * * *

24 Section 2. Sections 4701, 4702(a), 4703, 4704, 4721, 4723,
25 4726, 4727, 4728, 4729, 4730(a) and 6103 of Title 75 are amended
26 to read:

27 § 4701. Duty to comply with inspection laws.

28 No owner or driver shall refuse to submit a vehicle or a mass
29 transit vehicle to any inspection and test that is authorized or
30 required by the provisions of this chapter.

1 § 4702. Requirement for periodic inspection of vehicles.

2 (a) General rule.--The department shall establish a system
3 of semiannual inspection of vehicles registered in this
4 Commonwealth and mass transit vehicles operated in this
5 Commonwealth.

6 * * *

7 § 4703. Operation of vehicle without official certificate of
8 inspection.

9 (a) General rule.--No [registered] motor vehicle required to
10 bear current Pennsylvania registration plates shall be driven
11 and no [registered] trailer required to bear current
12 Pennsylvania registration plates shall be moved on a highway and
13 no mass transit vehicle shall be operated unless the vehicle
14 displays a currently valid certificate of inspection [and
15 approval].

16 (b) Exceptions.--Subsection (a) does not apply to:

17 (1) Special mobile equipment.

18 (2) Implements of husbandry.

19 (3) Motor vehicles being towed.

20 (4) Motor vehicles being operated or trailers being
21 towed by an official inspection station owner or employee for
22 the purpose of inspection.

23 (5) Trailers having a registered gross weight of 3,000
24 pounds or less.

25 (6) Motorized pedalcycles.

26 (7) Vehicles being repossessed by a financier or
27 collector-repossessor through the use of miscellaneous motor
28 vehicle business registration plates.

29 (8) New vehicles while they are in the process of
30 manufacture, including testing, and not in transit from the

1 manufacturer to a purchaser or dealer.

2 (c) Inspection of vehicles reentering this Commonwealth.--
3 Vehicles subject to inspection which have been outside this
4 Commonwealth continuously for 30 days or more and which, at the
5 time of reentering this Commonwealth, do not bear a currently
6 valid certificate of inspection shall be inspected within five
7 days of reentering this Commonwealth.

8 (d) Newly-purchased vehicles.--Newly-purchased vehicles may
9 be driven without being inspected for five days after purchase
10 or entry into this Commonwealth, whichever occurs later.

11 [(c)] (e) Display of unauthorized certificate of
12 inspection.--No certificate of inspection [and approval] shall
13 be displayed unless an official inspection has been made and the
14 vehicle or mass transit vehicle is in conformance with the
15 provisions of this chapter.

16 [(d)] (f) Authority of police.--Any police officer may stop
17 any motor vehicle, mass transit vehicle or trailer and require
18 the owner or operator to display an official certificate of
19 inspection [and approval] for the vehicle being operated. A
20 police officer may summarily remove an unauthorized, expired or
21 unlawfully issued certificate of inspection from any vehicle or
22 mass transit vehicle.

23 (g) Limitation on prosecution.--A motor vehicle, mass
24 transit vehicle or trailer shall be the subject of only one
25 prosecution under subsection (a) in any 24-hour period.

26 (h) Penalty.--Any person violating this section is guilty of
27 a summary offense and shall, upon conviction, be sentenced to
28 pay a fine of up to \$25.

29 § 4704. Notice by police officers of violation.

30 (a) General rule.--Any police officer having probable cause

1 to believe that any vehicle or mass transit vehicle, regardless
2 of whether it is being operated, is unsafe or not equipped as
3 required by law may at any time submit a written notice of the
4 condition to the driver of the vehicle or the mass transit
5 vehicle or to the owner, or if neither is present, to an adult
6 occupant of the vehicle or the mass transit vehicle, or if the
7 vehicle or the mass transit vehicle is unoccupied, the notice
8 shall be attached to the vehicle or the mass transit vehicle in
9 a conspicuous place.

10 (1) If an item of equipment is broken or missing, the
11 notice shall specify the particulars of the condition and
12 require that the equipment be adjusted or repaired. Within
13 five days evidence must be submitted to the police that the
14 requirements for repair have been satisfied.

15 (2) If the police officer has probable cause to believe
16 that a vehicle or mass transit vehicle is unsafe or not in
17 proper repair, he may require in the written notice that the
18 car or mass transit vehicle be inspected. The owner or driver
19 shall submit to the police within five days of the date of
20 notification certification from an official inspection
21 station that the vehicle or the mass transit vehicle has been
22 restored to safe operating condition in relation to the
23 particulars specified on the notice.

24 (3) After the expiration of the five-day period
25 specified in paragraphs (1) and (2), the vehicle shall not be
26 operated upon the highways of this Commonwealth and a mass
27 transit vehicle shall not be operated until the owner or
28 driver has submitted to the police evidence of compliance
29 with the requirements of paragraph (1) or (2), whichever is
30 applicable.

(b) Operation prohibited if hazardous.--In the event a vehicle or a mass transit vehicle, in the reasonable judgment of the officer, is in such condition that further operation would be hazardous, the officer may require that the vehicle or the mass transit vehicle not be operated under its own power and may so stipulate in the notice given under subsection (a).

§ 4721. Appointment of official inspection stations.

For the purpose of establishing a system of official inspection stations, the department shall issue certificates of appointment to privately owned facilities within this Commonwealth that comply with the requirements of this chapter and regulations adopted by the department. The department shall issue instructions and all necessary forms to such facilities. Official inspection stations are authorized to inspect vehicles and mass transit vehicles and issue official certificates of inspection.

§ 4723. Certificate of appointment for inspecting fleet vehicles.

The department may issue a certificate of appointment under the provisions of this chapter to any person who owns or leases 15 or more vehicles or mass transit vehicles and who meets the requirements of this chapter and regulations adopted by the department. The certificate of appointment may authorize inspection of only those vehicles or mass transit vehicles owned or leased by such person.

§ 4726. Certification of mechanics.

No mechanic shall conduct motor vehicle inspections or mass transit vehicle inspections at an official inspection station unless certified as to training, qualifications and competence by the department according to department regulations. The

1 regulations relating to mass transit vehicle inspections shall
2 require that any mechanic conducting such inspections shall
3 possess proven competence in the area of mass transit vehicle
4 operation and maintenance. The provisions of this title or
5 regulations adopted thereunder shall not be construed or applied
6 in a manner which would preclude or impair the right of a person
7 who is a resident of another state, and who is in possession of
8 a valid driver's license issued by such state, to be certified
9 to conduct motor vehicle inspections or mass transit vehicle
10 inspections at an official inspection station in this
11 Commonwealth. No official inspection station appointment shall
12 be issued or renewed unless a certified official inspection
13 mechanic is there employed.

14 § 4727. Issuance of certificate of inspection.

15 (a) Requirements prior to inspection.--No vehicle, except a
16 mass transit vehicle for which registration is not required,
17 shall be inspected unless it is duly registered. The owner or
18 operator or an employee of the official inspection station shall
19 examine the registration card in order to ascertain that the
20 vehicle is registered.

21 (b) Requirements for issuance of certificate.--An official
22 certificate of inspection shall not be issued unless the vehicle
23 or mass transit vehicle is inspected and found to be in
24 compliance with the provisions of this chapter including any
25 regulations promulgated by the department. Notation of the
26 odometer reading shall be included on the certificate of
27 inspection.

28 § 4728. Display of certificate of inspection.

29 The appropriate certificate of inspection shall be affixed to
30 the vehicle or mass transit vehicle as specified in regulations

1 adopted by the department.

2 § 4729. Removal of certificate of inspection.

3 No certificate of inspection shall be removed from a vehicle
4 or a mass transit vehicle for which the certificate was issued
5 except to replace it with a new certificate of inspection issued
6 in accordance with the provisions of this chapter or as follows:

7 (1) The police officer may remove a certificate of
8 inspection in accordance with the provisions of section
9 4703[(d)] (f) (relating to operation of vehicle without
10 official certificate of inspection).

11 (2) A person replacing a windshield or repairing a
12 windshield in such a manner as to require removal of a
13 certificate of inspection shall at the option of the
14 registrant of the vehicle or the owner of a mass transit
15 vehicle cut out the portion of the windshield containing the
16 certificate and deliver it to the registrant of the vehicle
17 or the owner of the mass transit vehicle or destroy the
18 certificate. The vehicle or the mass transit vehicle may be
19 driven for up to five days if it displays the portion of the
20 old windshield containing the certificate as prescribed in
21 department regulations. Within the five day period an
22 official inspection station may affix to the vehicle or mass
23 transit vehicle another certificate of inspection for the
24 same inspection period without reinspecting the vehicle or
25 mass transit vehicle in exchange for the portion of the old
26 windshield containing the certificate of inspection. A fee of
27 no more than \$1 may be charged for the exchanged certificate
28 of inspection.

29 (3) A salvor shall remove and destroy the certificate of
30 inspection on every vehicle or mass transit vehicle in his

possession except vehicles used in the operation of the
business of the salvor.

§ 4730. Violations of use of certificate of inspection.

(a) General rule.--No person shall:

(1) make, issue, transfer or possess any imitation or
counterfeit of an official certificate of inspection; or

(2) display or cause to be displayed on any vehicle or
mass transit vehicle or have in possession any certificate of
inspection knowing the same to be fictitious or stolen or
issued for another vehicle or issued without an inspection
having been made.

* * *

§ 6103. Promulgation of rules and regulations by department.

(a) General rule.--In addition to the specific powers
granted to the department by this title to promulgate rules and
regulations, the department shall have the power in accordance
with the provisions of the act of July 31, 1968 (P.L.769,
No.240), [known as the "Commonwealth Documents Law,"] referred
to as the Commonwealth Documents Law, to promulgate, consistent
with and in furtherance of this title, rules and regulations in
accordance with which the department shall carry out its
responsibilities and duties under this title.

(b) Legislative approval of mass transit inspection
regulations.--A copy of every rule or regulation or amendment to
a rule or regulation relating to the inspection of mass transit
vehicles shall before adoption be forwarded to the Speaker of
the House of Representatives and to the President pro tempore of
the Senate for referral to and review by the appropriate
standing committee of the House of Representatives and of the
Senate as determined by the respective presiding officer. The

1 standing committee shall, within 60 days from the receipt of
2 such rule, regulation or amendment, approve or recommend
3 disapproval to the House of Representatives or the Senate of any
4 such rule, regulation or amendment. Failure of the standing
5 committee to recommend disapproval and of the House of
6 Representatives and Senate to disapprove any rule, regulation or
7 amendment within the 60 days from the receipt thereof shall
8 constitute approval thereof. If the standing committees of both
9 the Senate and the House of Representatives recommend
10 disapproval and the House of Representatives and the Senate
11 disapprove any rule, regulation or amendment, the department
12 shall not adopt the rule, regulation or amendment and it shall
13 not be again offered for one year. Each committee shall
14 immediately notify, in writing, the other committee and the
15 department of any action taken pursuant to this subsection. Only
16 in the absence of a disapproval shall the department proceed
17 with the adoption of the rule, regulation or amendment in
18 accordance with section 202 of the Commonwealth Documents Law.

19 Section 3. (a) The Pennsylvania State Police and the
20 Department of Transportation in consultation with mass transit
21 operators shall submit the regulations required by this act to
22 the General Assembly within 60 calendar days of the effective
23 date of this act and on the same day shall arrange for such
24 regulations to be published in the Pennsylvania Bulletin. The
25 regulations shall be effective subsequent to publication in the
26 Pennsylvania Bulletin as provided by law.

27 (b) The Pennsylvania State Police in consultation with the
28 Department of Transportation shall develop and present to the
29 General Assembly within 30 calendar days of the effective date
30 of this act, a vehicle inspection plan designed to resolve the

1 presently existing deficiencies in the vehicle inspection
2 program of any authority created pursuant to the act of August
3 14, 1963 (P.L.984, No.450), known as the "Metropolitan
4 Transportation Authorities Act of 1963." The plan shall include
5 the designation of State Police personnel on a permanent basis
6 to supervise the vehicle inspection plan of such authority. Such
7 plan shall be implemented by the Pennsylvania State Police
8 within 60 days of the effective date of this act.

9 Section 4. This act shall take effect immediately.